

**SCOTT YALE AUSTER**  
ATTORNEY AT LAW

---

1369 MADISON AVENUE  
SUITE 179  
NEW YORK, NY 10128-0711  
(212) 513-7400

Please reply to  
New York, NY office

65 HIGHVIEW DRIVE  
CARMEL, NY 10512-6131  
(845) 225-7700

Please reply to  
Carmel, NY office

March 27, 2013

***FILED VIA ECF***

The Hon. Kiyo A. Matsumoto  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: UNITED STATES v PAUL RIVERA**  
**Criminal Docket No.: 13 CR 149 (KAM)**

Dear Judge Matsumoto:

Please accept this letter as defense counsel's response to the Court's inquiry as to whether Mr. Rivera wishes to pursue the sealed motion of his former attorney, Steven Zissou, Esq.

Having met with Mr. Rivera earlier today and having discussed the matter of the Court's inquiry, Mr. Rivera has indicated that at this time he would withdraw that motion without prejudice and with the Court's permission, reserve the right to renew same at a later time.

Respectfully submitted,

SCOTT YALE AUSTER

SYA/ev  
cc: AUSA Taryn A. Merkl  
(via ECF)